

CWRU OSPA CONTRACT CHECKLIST

To accompany the review of each contract.

Contract title/number/sponsor: _____

Reviewer/Negotiator: _____ Date: _____

Director's Review: _____ Date: _____

ANCILLARY documents and requirements:

- University Review Form (URF)**
 - Double check *sponsor and type* of contract.
 - Human and/or animal subjects approval/applied dates** (if applicable)
 - Budget** (does it generally agree with the actual contract budget?)
 - Check **Fringe Rate**
 - Indirect Cost Rate** – Check consistency between URF and the contract
 - Conflict of Interest Form** for current year
 - Cost sharing** (if applicable)
 - All required signatures**
- Budget**
- Statement of Work**
- Approval (if no URF is required)**
- File**
 - IRB Approval Letter** (if applicable)
 - Cover letter, or** at least name of other institution's **contact person**
 - All original copies** of the contract in the file (per the cover letter)?
 - Copy of **prime award** (if applicable)
 - All documents incorporated by reference** are provided
 - All appendices, exhibits, attachments, etc.** referenced as attached in the contract, *are attached*.
- Lobbying certification** (if applicable)
 - Email the PI.**

MANDATORY contract components:

- Preamble:**
 - CWRU is referenced correctly, as "Case Western Reserve University",
 - Correct location reference, e.g., "Cleveland, Ohio", or "...with offices in the city of Cleveland"
 - Correct business type, e.g., "...an Ohio non-profit corporation".
- CFDA Number** is included if applicable
- Statement of Work**
- Period of Performance** fits with the previous contract, and university review form.
- Terms of Payment**, including budget, compare with the university review form.

- CWRU Project Director** named, compare with the university review form.
- Termination clause:** must be reciprocal, allowable for any cause, require written notice in advance, e.g., 30 days, and include payment for non-cancelable obligations through the date of early termination.
- Publication clause**
- Applicable or Governing Law** must be limited to Ohio or be silent.
- Point of Contact:**
 - Administrative**, ORA, if choice is limited to one
 - Technical**, if req: *PI info*
 - Fiscal**, if req: Controller's Office
- Signatures:**
 - PI should NOT have signed.
 - If PI signature required on the signature page, appropriate phrase added
 - Proper signatory name in CWRU signature block

NON-MANDATORY contract components, *except for clinical trials and for sponsored research agreements with industry providing federal flow-through funding as noted:*

- Indemnification: *Mandatory for clinical trials and for sponsored research agreements with industry providing federal flow-through funding.***
Silent, or reciprocal and limited to *negligent* acts, and if possible have the other institution indemnifies CWRU for the *use* of CWRU data.
- Liability (*mandatory for clinical trials*)**
- Patent rights**, if applicable
- Rights to data / Copyright**, if applicable
- Confidentiality**
- Disclaimer of warranties**, if applicable
- Reporting requirements:**
 - General** reporting requirements:
 - Quarterly or longer is preferred
 - Ability to rebudget is preferred
 - Small business subcontracting** reporting
 - Federal Plan required
 - Other
 - Stamp given to PI
- Acceptable regs:** List below is not all-inclusive.
 - Human subjects 45 CFR 46
 - Vertebrate animals, P.L. 99-158
 - Recombinant DNA, 59 FR 34496, July 5, 1994
 - Conflict of Interest, 42 CFR 50, Subpart F
 - Scientific Misconduct, 42 CFR A, Subpart A
 - Debarment and Suspension, 53 FR 191161-19211
 - Certification of non-delinquency on federal debt per OMB Circular A-129
 - Certification of Drug-Free Workplace per the Drug-Free Workplace Act of 1988, 45 CFR 76, Subpart F
 - Compliance with OMB A-133

- Compliance with OMB A-110 and P.L.104-105
 - Single Audit Act Amendments of 1996
 - Anti-Kickback Act of 1986, FAR 52.203-7
 - Clean Air and Water Act, 42 USC 7401, et seq
 - Federal Water Pollution Control Act, 33 USC 1251, et seq
- Representations and certifications**, if applicable

After conclusion of negotiations:

- Edit the contract per the negotiations, **PROOFREAD!**
- Check revisions after receipt of executed contracts. **PROOFREAD!**
- PI Acknowledgement included with each original
- Signature by official CWRU signatory.

To the File:

- Copy partially executed document and cover letter for file prior to sending.
- A133 certification requested, if applicable
- FedEx.
- Place partially executed contract file in holding drawer
- Make sure we have one **fully executed original** for our file.